

REMARKS/ARGUMENTS

By this amendment, claims 1-3, 6-11, 13-14, 16-20, 22, 23, and 26-31 are amended, claims 12 and 21 are cancelled, and claims 32-37 are added. These amendments are made to even more clearly recite the claimed invention, do not add new matter and are fully supported by the specification. Reconsideration and withdrawal of the rejections in the outstanding Office Action are respectfully requested in view of the foregoing amendments and the following remarks.

Claim Objections

The Office Action objects to claims 1, 4, and 6-8 under 37 C.F.R. 1.75 as being substantial duplicates of claims 5, 9-11 and 12. Without acquiescing to or agreeing with the objection, Applicant notes that claim 12 has been cancelled. As for claims 4 and 5 (and dependents therefrom), Applicant respectfully notes that claim 4 recites "metadata," while claim 5 recites "metadata units." As "metadata" and "metadata units" are distinct elements, Applicant submits that these claims are not duplicative. Accordingly, Applicant respectfully requests that the objections be withdrawn.

The Office Action objects to claim 14 due to a typographical error in the claim. Applicant has amended the claims to correct this error. Accordingly, Applicant respectfully requests that the objection be withdrawn.

The Office Action objects to claims 6-12 alleging that it is unclear what the acronyms DTD, RDF, and Schema stand for. Without acquiescing to or agreeing with the objection, Applicants note that the claims have been amended to recite "Document Type Definition (DTD)" and Resource Description Framework (RDF). However,

Applicants respectfully note that the term “XML Schema” is a common technical term, and therefore need no further definition. Accordingly, Applicant respectfully requests that the objections be withdrawn.

Rejection Under 35 U.S.C. 102(e)

The Office Action rejects claims 1-31 under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,877,134 to Fuller et al. (hereinafter “FULLER”).

Initially, Applicant respectfully notes that Fuller is not available as a reference under 102(e). With this Amendment, Applicant submits a verified English-language translation of foreign priority document Japanese Application No. JP11-200095, filed on July 14, 1999. Applicant notes that the filing date for FULLER is July 29, 1999. Accordingly, FULLER postdates the present application, and can not be used as a 102(e) reference.

Applicant also notes that although FULLER is a continuation-in-part of Application No. 09/134,497, which has an earlier filing date (August 14, 1998), this earlier application does not disclose the Figures and elements cited by the Examiner against the present application. Therefore, Applicant submits that FULLER is not entitled to the earlier filing date of the parent application for the portion of the disclosure relied upon in the instant rejection.

Furthermore, and independently of the above, Applicant respectfully submits that FULLER fails to disclose all of the elements of Applicant's claimed invention. The claims require

An information provision apparatus comprising:

an acquirer configured to acquire a data stream of content that has timewise continuity and metadata that includes information related to the content;

a unitizer configured to unitize metadata that includes at least one processing unit (MPU) for a segment of the data stream; and

a capsulizer configured to capsulize data stream packets and metadata unit packets, unit by unit, so as to make possible partial execution of the metadata, and to generate a capsulized stream.

Although the Examiner asserts that formatting unit 1500 in FULLER reads on the "capsulizer" (recited in claim 1), there is nothing in FULLER that discloses "a capsulizer configured to capsulize data stream packets and metadata unit packets, unit by unit, so as to make possible partial execution of the metadata, and to generate a capsulized stream." Furthermore, FULLER does not disclose "a unitizer configured to unitize metadata that includes at least one processing unit (MPU) for a segment of the data stream," as recited in claim 1. Accordingly, Applicant submits that FULLER does not disclose all of the elements in claim 1.

In response to the Examiner's rejections of claims 2-31, Applicants note that these claims depend ultimately from claim 1, which, as discussed above, is not anticipated by FULLER. As claims 2-31 include additional elements not recited in claim 1, Applicants submit they are further distinguished from FULLER. All other points raised above are equally applicable to claims 2-31, and Applicants reiterate those points with regard to the rejection of claims 2-31.

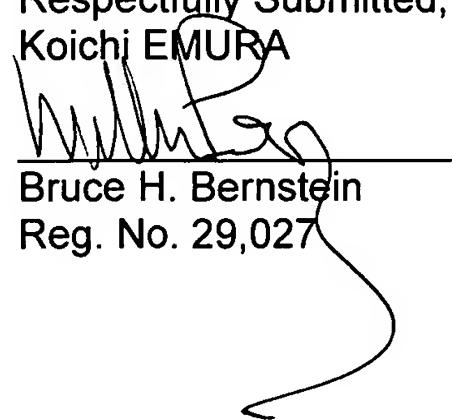
Accordingly, Applicant respectfully submits that the FULLER does not disclose all of the elements of the claimed invention, and respectfully requests withdrawal of the rejection over FULLER.

CONCLUSION

For the foregoing reasons, it is believed that all of the claims in this application are in condition for allowance, which action is respectfully requested.

If the Examiner has any questions, or wishes to discuss this matter, the Examiner is respectfully invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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